

Remarks/Arguments

Remarks appear in the order the issues were presented in Paper No. 13.

I. Rejections of Claims 12-15 under 35 U.S.C. § 112, second paragraph.

Claims 12-16 are rejected under 35 U.S.C. § 112, second paragraph. According to Paper No. 13: ". . . while being enabling for a diagnostic method for detecting ulcerative colitis and inflammatory bowel disease in the colon comprising detecting CEP-hTM5 complexes with antibodies against CEP and hTM5, does not reasonably provide enablement for a diagnostic method for detecting any disease comprising detecting CEP-hTM complexes with antibodies against CEP and hTM." Paper No. 13, p. 2. Applicant has amended claims 12-15 consistent with the recommendations kindly provided by the Examiner in Paper No. 9, p. 5. In doing so, Applicant has addressed the issue raised in the above quoted statement from Paper No. 13. Applicant, therefor, respectfully requests the removal of the § 112 rejection with regard to the pending amended claims 12 and 13.

II. Rejections of Claims 12-15 under 35 U.S.C. § 102.

An amended declaration of the inventor was filed with the amendment and response on May 5, 2003. Upon review of the amended declaration, please withdraw the rejection under 35 U.S.C. § 102.

III. Rejection of Claims 16 under 35 U.S.C. § 112.

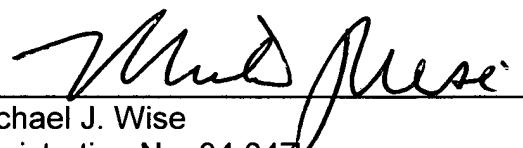
Claim 16 was rejected in Paper No. 13 as containing subject matter that was not described in the specification. Claim 16 has been canceled.

Conclusion

Applicant has made a Request for Continued Examination in the response and amendment filed on May 5, 2003. Applicant has amended the claims consistent with the recommendations made in Paper No. 9 and Paper No. 13. Further, an amended declaration was included in the response and amendment filed on May 5, 2003. Please remove the rejections of the pending claims and forward this application through to allowance.

Respectfully submitted,
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